

GUIDELINES AND REQUIREMENTS
FOR
WATER AND WASTEWATER UTILITIES



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LOUISIANA PUBLIC SERVICE COMMISSION

Guidelines and Requirements for Water and Sewerage Companies

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LOUISIANA PUBLIC SERVICE COMMISSION

Guidelines and Requirements for Water and Sewerage Companies

I. Mission Statement

To regulate the rates and service practices of utilities and motor carriers in the State of Louisiana in order to secure for the public safe, adequate and reliable service at rates that adequately compensate the utilities and carriers while ensuring affordable rates to the customers.

Introduction

The Louisiana Public Service Commission is an independent regulatory agency created by Article IV, Section 21 of the 1921 Constitution of the State of Louisiana. It succeeded the Railroad Commission of Louisiana that was created by the 1898 Constitution. Only seven states have constitutionally formed Commission, and Louisiana is one of only thirteen states with elected Commissioners.

The Commission is composed of five Commissioners elected for six-year terms, with two Commissioners standing for election every two years. Each Commissioner maintains one or more District Office within the geographical area of his or her District staffed by personnel assigned to handle consumer complaints and/or inquiries specific to a particular District. Ultimate responsibility for final decisions in granting or denying rate adjustments, enforcing safety and public service requirements rests with the Commissioners. The Commissioners appoint an Executive Secretary to coordinate the day-to-day operations of the Commissions various Divisions.

By virtue of the Louisiana Constitution, the Commissioners function in an Executive capacity, adopt rules and regulations in a Legislative capacity and act in a Judicial capacity by sitting as a tribunal and making decisions in contested matters. The overall goals of the Commission are to protect consumers from unreasonable rates and terms of service; encourage maximum efficiency in utility company operations and management; ensure public safety and help the public communicate with regulated utilities and carriers; and establish regulatory standards and apply them in a fair and consistent manner.

The Utilities and Auditing Divisions make specific recommendations to the Commissioners to assist them in reaching decisions regarding public utility rates, utility finance and quality of service. By state law, public utilities are regulated monopolies given the opportunity to earn a fair and reasonable return on their investment. The Commission tries to balance the customers' interest in affordable and reliable utility service with the utility's interest in earning a fair profit. All requests for rate increases/changes require approval of the Commission in an Open Meeting.

II. AUTHORITY

Constitution of the State of Louisiana

Section 21. Public Service Commission

A. **Composition, Terms, Domicile.** There shall be a Public Service Commission in the executive branch. It shall consist of (5) five members, who shall be elected for overlapping terms of six years at the time fixed for congressional elections from single member districts established by law. Each Commissioner serving on the effective date of this constitution shall be the Commissioner for the new district in which he resides and shall complete the term for which he was elected. The Commission annually shall elect one member as chairman. It shall be domiciled at the Louisiana Public Service Commission offices, but may meet, conduct investigations, and render orders elsewhere in this state.

B. **Powers and Duties.** The Commission shall regulate all common carriers and public utilities and have such other regulatory authority as provided by Law. It shall adopt and enforce reasonable rules, regulations and procedures necessary for the discharge of its duties, and shall have other powers and perform other duties as provided by Law

C. **Limitation.** The Commission shall have no power to regulate any common carrier or public utility owned, operated, or regulated on the effective date of this constitution by the governing authority of one or more political subdivisions, except by the approval of a majority of the electors voting in an election held for that purpose; however, a political subdivision may reinvest itself with such regulatory power in the manner in which it was surrendered. This paragraph shall not apply to safety regulations pertaining to the operation of such utilities.

D. **Applications, Petitions, and Schedules; Protective Bond and Security.** (1) Within twenty days after a public utility files a proposed rate schedule which would result in a change in rates, it shall give notice thereof by publication in the official state journal and in the official journal of each parish within the geographical area in which the schedule would become applicable or by placing a flier directly in the customer ' s monthly billing indicating the proposed change in rates. (2) Within twelve months after the effective filing date, the Commission shall render a full decision on each application, petition, and proposed rate schedule. (3) After the effective filing date of any proposed schedule by a public utility which would result in a rate increase, the Commission may permit the proposed schedule to be put into effect, in whole, or in part, pending its decision on the application for rate increase and subject to protective bond or security approved by the Commission. If no decision is rendered on the application within twelve months after such filing date, the proposed increase may be put into effect, but only if and as provided by law and subject to protective bond or security requirements, until final action by a court of last resort. (4) If a proposed increase that has been put into effect is finally disallowed, in whole or in part, the utility shall make full refund, with legal interest thereon, within the time and in the manner prescribed by law. (5) The

utility company may file a written reconsideration with the Secretary of the Commission's office; however, a \$200.00 reconsideration fee will be assessed at that time.

E **Appeals.** Appeal may be taken in the manner provided by law by any aggrieved party or intervener to the district court of the domicile of the Commission. A right of direct appeal from any judgment of the district court shall be allowed to the Supreme Court. These rights of appeal shall extend to any action by the Commission, including but not limited to action taken by the Commission or by a public utility under the provision of Subparagraph (3) of Paragraph (D) of this Section.

III. DEFINITIONS OF TERMS

1. **Commercial Service** - Provision of water for use in connection with business premises devoted primarily to operations for profit including offices, stores, markets, apartments with master-meters, hotels, motels, automobile trailer parks, courts, service stations and the like.
2. **Consumer** - Any retail customer of a water utility, including a developer of a project requiring water service.
3. **Consumer's House Piping** - All pipe and attached fittings on the customer's side of the meter. In all cases, the installation and maintenance of the consumer's house piping shall be the consumer's.
4. **Flat Rate Service** - A fixed charge for service irrespective of the volume used.
5. **Industrial Service** - Provision of water to industrial premises where the water is used primarily in manufacturing or processing activities.
6. **Main** - A water line of eight (8) or more inches in diameter which is used primarily for transmission or interconnection functions which maintains an average operating pressure of 45 psi during normal daily usage periods.
7. **Meter** - All attachments and fittings needed to measure and control the flow of water.
8. **Metered Service** - Service for which the charges are computed on the basis of measured quantities of water.
9. **Point of Connection** - The meter location or the point where the facilities of the water company meet the facilities owned by the consumer.
10. **Point of Delivery** - The point where water is measured for delivery into the consumer's house piping.
11. **Premises** - A property which cannot be completely divided in its present utilitarian condition through sale, such as: a) a building under one roof, owned, leased, or occupied by one business or residence; b) a combination of residential buildings or of commercial buildings owned, leased, or occupied one party in one common enclosure; c) a building owned, leased or occupied by one party, having more than one internal division, such as apartments, offices, stores, etc., and which may have a common or separate entrance.
12. **Residential Service** - Provision of water for household purposes, including water used on the premises for sprinkling lawns, gardens and shrubbery; washing vehicles; and other similar and customer purposes pertaining to single or multiple family dwellings with individual meters.

13. Service Line - The pipe and attached fittings that convey water from the company ' s mains to the consumer ' s premises.

14. Tariff Schedules or Tariff Schedule Book - The entire body of effective rates, charges, rules, regulations and sample forms that have been approved by the Louisiana Public Service Commission.

15. Yard Line - When the meter measuring water for delivery to the consumer is set on the consumer ' s property, the yard line will include the pipe and attached fittings between the property line and the premises.

IV. SERVICE CHARGES AND DEFINITIONS

Rates and charges filed with the Commission must be explicit, listing the actual material and cost associated with providing the services and a description of services being provided by the company.

Tap-in-Fee - This fee will be charged to connect service to a new location where service has not previously been established. This charge, when applied to water companies, usually includes labor and materials for the installation of the service line up to and including the meter and any other cost associated with initial installation. When applied to sewerage companies, this charge will usually include all company inspections, labor and materials, and any other cost associated with the initial installation. When a tap in requires a road bore, the actual cost associated with making the bore may be charged to the customer in addition to the usual tap in charges but the verbiage must be included in the company's tariff. (Please list in detail all services included in this charge.)

Connection Fee - This charge is to cover the administrative cost associated with re-establishing service or with reading the meter upon a change of customer where service has previously been established.

Service Charge - A service fee will be charged to the customer for a service calls made to the customer's premises for repair when the company is not responsible for the problem. The company will only service its own system. The Company's responsibility ends where the customer's piping ties into the main. Charges made by the Company for repairs made to the consumer's house piping need not be listed.

Re-Connection Fee - This charge is for re-establishing service after disconnection for nonpayment, failure to make deposit, fraudulent or seasonal use.

Deposit - Deposits charged by a utility should be reasonable. Reasonable as defined by the Commission is no more than 2 ½ times the average monthly bill.

NSF Check Fee - The Commission has capped this fee at a maximum of \$20.00. (Commission's General Order dated January 21, 2000)

Delinquent Penalty - A 5% penalty on payments received 20 days after the date of the billing. (5% of the monthly bill.) (Commission's General Order dated 7/12/76)

DEQ Permit Fees - All jurisdictional sewerage companies are authorized to flow through the annual permit fees assessed by DEQ as a line item on the monthly bills. No penalties or ordinary administrative expenses shall be recovered as a flow through to the subscribers. (Commission's Order U-16239 dated 10/17/84)

V. RULES AND REGULATIONS

UNIFORM SYSTEM OF ACCOUNTS FOR WATER AND SEWERAGE COMPANIES

Water utilities shall use the uniform system of accounts for water utilities of the National Association of Regulatory Utility Commissioners (NARUC). Sewer utilities shall adopt their accounts as nearly as practicable to conform to the aforesaid system of accounts for water utilities.

NARUC publishes separate uniform systems of accounts for four classes of water utilities. These classes are: Class A - Those having annual water operating revenues of \$500,000 or more; Class B - \$250,000 - \$500,000; Class C - \$50,000 - \$250,000; and Class D - less than \$50,000.

NARUC publishes separate systems of accounts for three classes of sewer utilities (wastewater utilities). These classes are: Class A - those having annual water operating revenues of \$1 million or more; Class B - \$200,000 - \$1 million; Class C - less than \$200,000.

These may be purchased from:

**National Association of Regulatory Utility Commissioners
P. O. Box 684
Washington, D.C. 20044
(202) 898-2200**

RECORDS

All records that a utility is required to keep, by reason of these or other rules prescribed by the Commission shall be kept at the office or offices authorized by the Commission. Such records shall be open for inspection by authorized representatives of the Commission at any and all reasonable hours.

Upon request of a regulated entity or other person, any records received by the Commission which are shown by the Company or other person and found by the Commission to be trade secret, proprietary, or confidential information, and not necessary to be disclosed to the public, shall be kept confidential and shall be exempt from public disclosure. (Commission's General Order dated 8/31/92)

ACCOUNTING PERIOD

Each utility shall keep its books on a monthly basis so that for each month all transactions applicable thereto, as nearly as may be ascertained, shall be entered in the books of the utility. Amounts applicable or assignable to specific utility departments shall be so segregated monthly. Each utility shall be so segregated monthly. Each utility shall close its books at the end of each calendar year unless otherwise authorized by the Commission.

FILING REQUIREMENTS

Each utility shall file with the Commission's Auditing Division an **Annual Report** on forms prescribed and furnished by the Auditing Division. The Annual Reports shall include a statement of the organization, general balance sheet, income account, revenue and expenses and such other matters connected with the utility's organization and operation as the Commission shall require. The Annual Report shall accurately reflect the balances and operating data of the books of accounts as of the end of the accounting period, and shall be verified by the principal officers or owners of the utility making the report. The report shall be filed with the Commission on or before March 31 for the preceding year ending December 31, or within ninety (90) days from the end of a Commission authorized fiscal year. Where more than one utility department is maintained in the same books of accounts, these shall be reported separately for the different types of utilities, i.e., water, gas, sewer, etc. **Any utility failing to file the annual report within the prescribed time, or Commission authorized extension, shall be subject to a \$5,000.00 fine for the first offense, and up to \$50,000 for each subsequent offense. Any utility or telecommunications service provider failing to submit an annual report may also have its authority in Louisiana canceled.** (Commission's General Order dated 12/28/00)

ISSUANCE AND SALE OF SECURITIES

No public utility shall issue any security or assume any obligation or liability as guarantor, endorser, surety or otherwise in respect of any security of any other public utility, or of any other person, until it has been authorized to do so by Order of this Commission. (Commission's General Order dated 6/5/96)

TRANSFERS OF OWNERSHIP/CONTROL

Requests for any of the former applications must be petitioned to the Secretary of the Commission in writing. The request will be published in the Commission's Official Bulletin for the required 25 days. The applicant will be required to answer the 18 questions posed in the Commission's General Order dated 3/18/94. (Commission's General Orders dated 6/16/53 & 10/28/68)

No utility or carrier subject to the jurisdiction of the Louisiana Public Service Commission shall sell, assign, lease, transfer, mortgage, or otherwise dispose of or encumber the whole or any part of its franchise, works, property, or system, nor by any means direct or indirect, merge or consolidate its utility works, operations, systems, franchises, or any part thereof, nor transfer control of ownership of any of the assets, common stock or other indicia of control of the utility to any other person, corporation, partnership, limited liability company, utility, carrier, subsidiary, affiliated entity or any other entity nor merge or combine with another person, corporation, partnership, limited liability company, utility, carrier, subsidiary, affiliated company or any other entity or divide into two or more utilities or carriers, where the values involved in such action exceed one percent (1%) of the gross assets of such regulated utility of carrier, or subsidiary thereof, nor in any way commit itself to take such action or affect any right, interest, asset, obligation, stock ownership, or control, involved in such action without prior full disclosure of the prior intentment and plan of such utility or carrier with regard to such action and without prior official action of approval or official action of non-

opposition by the Louisiana Public Service Commission. This section is intended to apply to any transfer of the ownership and/or control of public utilities and carriers regardless of the means used to accomplish that transfer. Any transfer accomplished without Commission approval is void. All applications submitted for approval should be sent to the Louisiana Public Service Commission, P.O. Box 91154, Baton Rouge, Louisiana 70821-9154. (Commission 's General Order dated 03/18/94)

INTEREST ON DEPOSITS

All companies regulated by this Commission requiring customer deposits shall make interest payments on such deposits at the rate of 5% per annum. These payments shall be made annually by means of either cash or a credit toward the current billing, with a designation on the utility bill that the credit is by reason of earned interest on deposit. Customer deposits of less than six months are exempt from this interest requirement. (Commission 's General Order dated 9/17/91)

DELINQUENT PENALTY

All customer payments received 20 days after the date of billing may be assessed a 5% penalty. No utility shall charge a late payment penalty on any portion of a bill which portion represents a previous late payment penalty; for purposes of this section, a payment received by a utility shall be credited first to the outstanding principal, regardless of month incurred, until all principal is discharged, and then to outstanding penalty, if any. If the last day of any period calculated hereunder is a Saturday, Sunday, or Legal Holiday or half-Holiday, then the period in question shall extend to the next full business day. (Commission General Orders dated 2/20/73 and 7/12/76)

DISCONNECTION FOR NON-PAYMENT

No utility shall disconnect a subscriber for non-payment of any principal amount without 5 days written notice, nor for non-payment of a late penalty assessment with 90 days written notice. The utility shall not mail or otherwise deliver a five day written notice of disconnect for non-payment until that principal is delinquent. (Commission General Orders dated 2/20/73 and 7/12/76) Such notice shall not be general in character but shall specifically advise the individual customer concerned that service will be discontinued five days thereafter unless the bill is paid. The contents of such notice shall be limited to the purpose above described and shall not include any other matter. (Commission General Order dated 9/10/57)

CHANGE OF BILLING PERIOD

Any utility changing its billing period will enclose with the first new bill following the change a separate notice printed on paper of a distinctive color stating that the billing date is being changed with an explanation of the change and that the enclosed bill covers _____ days from (date) to (date). (Commission Special Order No. 14-59 dated 12/5/59)

ESTIMATING UTILITY BILLS - METER READING AND/OR BILLING ERRORS

Utilities utilizing meters shall not bill a customer for utility consumption except on the basis of actual meter reading. This shall not be applicable to utilities whose member-customers provide

the meter reading services. Exceptions may be made in those cases when meters are read pursuant to mutual agreement between the utility and the customer or when monthly meter readings are not feasible. Exceptions are granted for estimations when the inability to read the meter is not the fault of the company, provided that the company either leave on the premises or mail a post card to the customer to read the meter and return the card to the company. The bill can then be estimated for the billing period if the customer fails to return the card with the appropriate meter readings.

The Commission authorized the estimation of bills where the meter it is found that the meter has been tampered with or where there is fraud involved. Estimations may also be made where the meter has been found to be faulty only if the customer agrees; if the customer doesn't agree, the request for estimation must be presented to the Louisiana Public Service Commission for its prior approval. In no instance can the estimated billing exceed a period of 12 months from date of discovery of the faulty meter. (Commission's General Orders dated 7/11/75 & 1/21/76)

BILLING ERRORS

No rate on file with this Commission, and billings made pursuant thereto, shall be effective against a customer where the utility company has permitted six months to elapse between the rendition of service and accurate billing. Advance notice of billing errors must be provided to the consumer before collection for such errors is permitted. (Commission's General Order dated 4/21/93)

PROHIBITION AGAINST TERMINATION OF OR DENIAL OF SERVICE

The utility companies subject to the jurisdiction of the Commission shall not refuse to initiate new service or disconnect existing service due to the refusal of a customer to make payments on a delinquent account that has been closed, with no further services charged or payments made on it, for a period of (3) three years or more unless and except a judgment has been issued by a court of competent jurisdiction on such delinquent account. (Commission's General Order dated 12/13/93)

PROHIBITION OF DUPLICATION OF SERVICES AND PARALLELING OF MAINS BY WATER UTILITIES

No water utility shall construct or extend its facilities or furnish or offer to furnish water service to any point of connection which at the time of the proposed construction, extension or service is receiving regular service from another water utility; nor shall any water utility construct or extend its facilities or furnish or offer to furnish water service to any point of connection which is located within three hundred feet of a water main of another public utility which is capable of providing water in sufficient quantity and at sufficient pressure as is required by the consumer at the point of connection, except with the written consent of such public utility.

Any consumer receiving service from a water utility who feels aggrieved with the service being offered to or received by him may apply to the Louisiana Public Service Commission for an order directing his present supplier to show cause why the consumer should not be released from said supplier, and if the Commission shall find that the service rendered to such consumer is inadequate for any reason whatsoever and will not be rendered adequate within a reasonable time not to exceed (6) six months, the release shall be granted, subject to the following conditions: 1) the consumer

shall pay for any and all necessary and LPSC approved fees or costs associated with the disconnection of service from the previous provider; 2) the consumer shall pay for any and all necessary and LPSC approved fees associated with connection to the new provider; and 3) the previous provider shall return any deposit to the consumer after allowable deductions or additions. (Commission ' s General Order dated 6/1/95)

TARIFFS

All utilities regulated by the Louisiana Public Service Commission will adopt and have on file an approved tariff. No modifications or revisions of rules and regulations or schedules of rates and charges shall be effective until filed with and approved by the Commission. (Commission ' s General Order dated 7/1/21) These rules and regulations do not in anyway invalidate any existing contracts not otherwise conflicting with these rules and regulations.

RESALE OF UTILITY SERVICE

No utility shall be required to furnish service for resale nor shall any service provided by the utility be sub-metered or further distributed by any customer for purpose of resale unless such customer is a municipality, a Department of the State or Federal Government or a public utility whose rates for such service is distributed to the tenants thereof by the landlord unless a charge over and above the rent is made for such service.

SUGGESTED EXTENSION POLICY

Standard Rule-of-Practice for Extensions of Mains for Gas and Water Utilities suggested by the Louisiana Public Service Commission. The Company will calculate the actual cost of the proposed extension of facilities and/or any necessary enlarging of existing facilities to which the proposed extension will be connected and directly allocable to such proposed extension; such cost to include the actual direct labor and materials required plus a maximum of 15% to cover supervision, engineering and all other overheads and contingencies. The size of the mains included in the estimate shall be limited to those necessary to supply domestic service to the immediate area to be served and shall exclude any excess sizes in anticipation of fire protection service and/or future expansion. In the event that the extension is to be made by an independent contractor, not more than 10% shall be added thereto to cover overhead and contingencies. If the estimated cost of the extension is not greater than the estimated gross revenue to be derived therefrom for a period of four years, less the actual cost of the services and meters to be installed, then in that event the extension will be made at no cost to the applicant or applicants for service, or their duly authorized agent. In the event of any controversy regarding estimated costs of service to be rendered the matter may be referred to the Commission ' s Utility Division engineering staff for arbitration.

If the cost of the extension as above defined exceeds their estimated gross revenue to be derived therefrom for a period of four years, less the actual cost of service and meters to be installed the Company shall offer to enter into a refunding contract with the applicant or applicants, or their duly authorized agent, providing for the deposit of the entire amount of such excess by the said applicant or applicants or their duly authorized agent, setting forth the conditions of the deposit and of refunds hereinafter described.

The Company will agree to refund to the original depositor or depositors, or their agent, annually beginning on the first anniversary date of the refunding contract, or at such intervening period as the Company may elect, during the first five (5) years after the date of the installation of service as follows: For each new customer in addition to those participating in the refunding contract taking service directly from the extension covered by the contract, the Company will refund a sum equal to the estimated gross revenue to be derived from the said new customer for a period of four (4) years, less the cost of the meter and service necessary to supply the customer. For this purpose, any new customer requiring service beyond the limits of the original extension shall not entitle the original contributors to any refund.

In the event that the crossing of a street or a highway in the excess of 60 feet in width is necessary for gas or water mains, or underground electric service, such as a crossing may be considered as being beyond the limits of the original extension.

METER TEST

Upon request of any customer, the utility will test the meter for accuracy. If the meter is found to be reading within a range of +/-3% accuracy, a charge can be levied by the utility for the cost of testing the meter. A meter tested and found to be in error (greater than +/-3% accuracy) should be repaired or replaced with no charge to the customer.

WATER SERVICE TO LESS THAN 10 CUSTOMERS

Any person serving water for a consideration to their neighbors shall be considered a public utility and shall come under the jurisdiction of the Louisiana Public Service Commission when such person serves then (10) or more customers. Persons or companies that initially have a potential to serve ten (10) or more customers should meet all requirements of the Louisiana Public Service Commission prior to providing service. (Commission's Minutes 6/4/57)

TAXES OR OTHER ASSESSMENTS (LINE ITEM ON BILL)

The Louisiana Public Service Commission has ordered that all jurisdictional public utility companies, including but not limited to electric, gas, telephone, sewerage and water providers, shall describe each charge that is unrelated to the tariff for that service to their customers. These charges shall appear as a line item on each customer bill. Each line item shall contain a brief explanation of the nature of the charge and the amount of said charge. Charges not related to the approved tariff include, but are not limited to those items appearing on a bill where monies collected by a utility company are remitted to a third party. Examples of these charges shall include, but are not limited to, assessments imposed by federal, state, parish, municipal, or other local government authority, and shall include, but are not limited to, ad valorem taxes, sales taxes, franchise taxes, franchise fees, emergency 911 service, telecommunications for the deaf fund, or any payment by a utility to a municipality whether such payment be called a license, occupational, privilege, franchise or inspection tax, charge or fee where said charges are not included in a utility's approved tariff structure. The Commission further ordered that jurisdictional utility companies shall comply with this order as soon as practicably possible but no later than 120 days from the date of this order. The Commission staff is instructed to cooperate with the utility companies to insure compliance with the directives of this General Order. (Commission's General Order dated 10/18/88)

DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) FEES

The Commission ordered that sewerage utilities subject to the jurisdiction of this Commission shall have authority to flow through to its subscribers on a monthly basis the annual permit fee assessed by the DEQ with the bills to specifically reflect this charge by the DEQ, with other expenses or penalty fees associated therewith to be considered as ordinary administrative expenses not subject to flow through to subscribers. (Commission ' s Order U-16239 dated 10/17/84)

VI. COLLECTION CONTRACTS FOR WATER & SEWERAGE SERVICE CHARGES

La. R.S. 33:4169

§4169. Collection contracts for sewerage service charges; access charges; enforcement procedures for delinquent charges

A.(1) Any municipal corporation, parish, or sewerage district operating a sewerage system shall have power to execute a contract with any municipal corporation, parish, water district, or private water company operating a water system serving customers in the area served by said sewerage system, and any municipal corporation, parish, water district, or private water company is authorized and empowered to execute and enter into a contract with any municipal corporation, parish, or sewerage district providing sewerage service to customers of said municipal corporation, parish, water district, or private water company, which contract may contain such terms and privileges as may be agreed upon between the parties thereto pursuant to which service charges imposed for service rendered by the sewerage system will be collected for the municipal corporation, parish, or sewerage district by the municipal corporation, parish, water district, or private water company and which may include provisions for a procedure to enforce collection of sewer charges by an agreement to shut off the service of the supply of water to any premises delinquent in the payment of either its water charges or sewer charges.

(2) Such municipal corporation, parish, or sewerage district may agree to supply any such municipal corporation, parish, water district, or private water company operating a water system with such indemnity bond or liability insurance as such municipal corporation, parish, water district, or private water company may consider necessary for its protection.

(3) Any such contract shall not require the approval of any state department, agency, or commission.

(4) It is the policy of this state that any municipal corporation, parish, or sewerage district operating a sewerage system may in its discretion assess a charge to any premises for the connection of such premises to such sewerage system.

B.(1) Any municipal corporation, parish, or water district operating a water system shall have the power to execute a contract with any municipal corporation, parish, sewerage district, or private sewerage company serving customers in the area served by said sewerage system, and any municipal corporation, parish, sewerage district, or private sewerage company is authorized and empowered to execute and enter into a contract with any municipal corporation, parish, or water district providing water service to the customers of said municipal corporation, parish, sewerage district, or private sewerage company, which contract may contain such terms and privileges as may be agreed upon between the parties thereto pursuant to which service charges imposed for service rendered by the municipal corporation, parish, sewerage district, or private sewerage company will be collected by the municipal corporation, parish, or water district and which may include provisions for a procedure to enforce collection of sewer charges by an agreement to shut off the services of the supply of water to any premises delinquent in the payment of either its water charges or sewer charges.

(2) The municipal corporation, parish, or water district may require any such municipal corporation, parish, sewerage district, or private sewerage company operating a sewerage system to supply such indemnity bond or liability insurance as the municipal corporation, parish, or water district may consider necessary for its protection.

(3) Any such contract shall not require the approval of any state department, agency, or commission.

(4) It is the policy of this state that any municipal corporation, parish, or water district operating a water system may in its discretion assess a charge to any premises for the connection of such premises to such water system.

C. In parishes with a population of not less than four hundred twenty-five thousand nor more than four hundred seventy-five thousand, any such contract as authorized in R.S. 33:4169(A) and (B) may be executed for a term up to twenty-five years.

D. Any municipal corporation, parish, or sewerage or water district shall have the power to execute and enter into a contract with any private company for the construction of sewerage or wastewater treatment facilities and for the operation of such facilities. Any such private company shall have in its construction and operation of such facilities the same ad valorem and sales tax liability exemption as the municipal corporation, parish, or sewerage or water district with which it contracts for such purpose.

E.(1) Any municipal corporation, parish, sewerage or water district is authorized to carry out the provisions of this Section as acts of government on behalf of the state as sovereign, and to the extent the governing authority deems necessary or appropriate is further authorized to displace competition and provide a monopoly public service.

(2) All immunity of the state of Louisiana from liability under antitrust law is hereby extended to any municipal corporation, parish, sewerage or water district acting within the scope of the grants of authority contained in this Section, and when so acting, a parish, municipal corporation, sewerage district, or water district shall be presumed to be acting in furtherance of state policy.

F. For the purposes of this Section, a sewerage or water district shall include any sewerage or water board, authority, or district created pursuant to Chapters 8, 9, or 10 of this Title.

LOUISIANA PUBLIC SERVICE COMMISSION

P. O. BOX 91154
BATON ROUGE, LOUISIANA 70821-9154
(225) 342-4999
(225) 342-4221 FAX

VII. INDEX OF OFFICE LOCATIONS

ADMINISTRATIVE OFFICE

Ms. Eve Kahao Gonzalez, Executive Secretary
Mr. Arnold C. Chauviere, Deputy Assistant Secretary, Utilities Division
Mr. Buddy Stricker, Utilities Administrator

DISTRICT OFFICES

Commissioner Eric Skrmetta, District 1

100 Lilac St.
Metairie, LA 70005
1-800-228-9368
(985) 624-4660 Mandeville
(985) 624-4470 FAX
(504) 846-6930 Metairie
Parishes: Ascension, Jefferson, Livingston, Orleans, Plaquemines, St. Bernard, St. Charles, St. Helena, St. John Baptist, St. Tammany, Tangipahoa, Washington

Commissioner James M. Field, District 2

617 North Blvd., Suite B
Baton Rouge, LA 70802
1-800-256-6004
(225) 342-6900 Baton Rouge
(225) 342-6912 FAX
(337) 262-5377 Lafayette
(337) 262-5382 FAX
Parishes: East Baton Rouge, East Feliciana, Iberia, Iberville, Lafayette, Lafourche, Livingston, St. Martin, St. Mary, Terrebonne, West Baton Rouge, West Feliciana

Commissioner Lambert C. Boissiere III, District 3

1100 Poydras Street, Suite 1410
New Orleans, LA 70163
1-800-256-9413
(504) 680-9529 New Orleans
(504) 680-9536 FAX
(225) 342-6687 Baton Rouge
(225) 342-2008 FAX
Parishes: Ascension, Assumption, East Baton Rouge, Iberville, Jefferson, Orleans, St. Charles, St. James, St. John Baptist, West Baton Rouge

Commissioner Clyde C. Holloway, District 4

300 Bobcat Drive

P.O. Box 928

Eunice, LA 70535

1-800-256-2490

(337) 457-7395 Eunice

(337) 457-7401 FAX

(318) 484-2447 Pineville

(318) 484-2311 FAX

(337) 491-2736 Lake Charles

(337) 491-2738 FAX

Parishes: Acadia, Allen, Avoyelles, Beauregard, Calcasieu, Cameron, Catahoula, Evangeline, Grant, Jefferson Davis, LaSalle, Pointe Coupee, Rapides, St. Landry, St. Martin, Vermilion, Vernon

Commissioner Foster L. Campbell, District 5

One Texas Centre

415 Texas St., Suite 100

Shreveport, LA 71101

P.O. Drawer E (Mailing)

Shreveport, LA 71161

1-800-256-2412

(318) 676-7464 Shreveport

(318) 676-7462 FAX

(318) 362-3318 Monroe

(318) 362-3059 FAX

Parishes: Bienville, Bossier, Caddo, Caldwell, Catahoula, Claiborne, Concordia, DeSoto, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Natchitoches, Ouachita, Red River, Richland, Sabine, Tensas, Union, Webster, West Carroll, Winn

NOTE: Some parishes may be divided between two or more Districts.

VIII. STATE AGENCY REGISTRATION REQUIREMENTS

Wells used to supply water for public water systems are required to be registered with the Louisiana Division of Public Works and the Louisiana Office of Public Health, Environmental Health Services Division. Requests for information can be obtained by contacting each department at the address listed below:

**Louisiana Department of Transportation & Development
Division of Public Works and Flood Control
P. O. Box 94245
Baton Rouge, LA 70804-9245
(225) 379-1294**

**Louisiana Department of Health and Hospitals
Office of Public Health
628 N. 4th Street
Baton Rouge, LA 70802
P.O. Box 3214 (Zip 70821-3214)
Phone: (225) 342-8093
Fax: (225) 342-8098**

LOUISIANA PUBLIC SERVICE COMMISSION WATER AND SEWERAGE REQUIREMENTS

The following pages include a list of the requirements for new water and sewerage companies. Commission acceptance will not be granted until all requirements listed have been met. Sample tariff pages reflecting the Company's rates and charges and rules and regulations have also been listed as a guideline for form and content. Completed applications for proposed new water and sewerage companies should be mailed to the Commission's Administrative Office:

**Ms. Eve Kahao Gonzalez, Executive Secretary
Louisiana Public Service Commission
P. O. Box 91154
Baton Rouge, LA 70821-9154
(225) 342-4427**

Rates and charges can be placed into effect only after Commission acceptance. Questions concerning new applications should be referred to the Administrative Office, Utilities Division or the appropriate District Office.

LOUISIANA SECRETARY OF STATE'S OFFICE REQUIREMENTS

All companies that are incorporated must register with the Louisiana Secretary of State's Office and forward a copy of their Certificate to Operate to this office.

**Louisiana Secretary of State
Commercial Division, Corporations
3851 Essen Ln.
Baton Rouge, LA 70809
(225) 925-4704**

DEPARTMENT OF ENVIRONMENTAL QUALITY

To obtain a Water Discharge Permit for sewerage systems you may contact the following agency:

**Department of Environmental Quality
Office of Environmental Services - Permits Division
P. O. Box 4313
Baton Rouge, LA 70821-4313
Phone: (225) 219-3181**

NOTE: The Louisiana Public Service Commission cannot authorize any water and/or sewerage system to begin charging rates for providing service until the utility has obtained proper certification from all applicable environmental regulatory agencies such as the Louisiana Department of Health and Hospitals and the Louisiana Department of Environmental Quality.

**THE FOLLOWING PAGES ARE TO BE
COMPLETED BY THE APPLICANT
AND FORWARDED TO THE
LOUISIANA PUBLIC SERVICE
COMMISSION FOR APPROVAL.**

**SHOULD YOU NEED ASSISTANCE IN COMPLETING THE
FOLLOWING PAGES YOU MAY CONTACT THE UTILITIES DIVISION
AT (225) 342-4416.**

STATE OF LOUISIANA
LOUISIANA PUBLIC SERVICE COMMISSION
P.O. BOX 91154
BATON ROUGE, LA 70821-9154
(225) 342-4416
(225) 342-4221 FAX

IX. APPLICATION FOR NEW WATER AND/OR SEWERAGE COMPANIES

THE LOUISIANA PUBLIC SERVICE COMMISSION REQUIRES THAT ALL NEWLY FORMED WATER AND SEWERAGE COMPANIES COMPLETE THIS FORM. COMMISSION ACCEPTANCE WILL NOT BE GRANTED UNTIL ALL REQUIREMENTS ARE MET.

1. CORRECT NAME AND DOMICILE OF THE COMPANY:

Company Name: _____
Street & No.: _____
City/State: _____
Telephone No. _____ / _____ Fax No. _____ / _____

2. CIRCLE TYPE OF COMPANY:

PARTNERSHIP
SOLE PROPRIETORSHIP
CORPORATION (attach copy of Louisiana Secretary of State Certificate)

3. DATE COMPANY IS TO START OPERATIONS: _____

4. CORRECT NAME AND ADDRESS OF COMPANY OFFICERS:

| | |
|----------------------------|----------------------------|
| Position _____ | Position _____ |
| Name _____ | Name _____ |
| Street _____ | Street _____ |
| City _____ | City _____ |
| State _____ ZIP Code _____ | State _____ ZIP Code _____ |

5. CORRECT NAME AND ADDRESS OF COMPANY AGENT FOR LEGAL PROCESS:

Company Name _____
Name _____
Agent Name _____
Street _____
City _____
State _____ ZIP Code _____ Telephone No. _____ / _____ Fax No. _____ / _____

6. CORRECT NAME AND ADDRESS OF COMPANY ATTORNEY(S) AND ACCOUNTANT:

| <u>Attorney</u> | <u>Accountant</u> |
|-----------------------------|-----------------------------|
| Firm Name _____ | Firm Name _____ |
| Atty's Name _____ | Acct. Name _____ |
| Street _____ | Street _____ |
| City _____ | City _____ |
| State _____ Zip _____ | State _____ Zip _____ |
| Telephone No. _____ / _____ | Telephone No. _____ / _____ |
| Fax No. _____ / _____ | Fax No. _____ / _____ |

7. LIST OF COMPANY RULES AND REGULATIONS. (MAKE ATTACHMENT 1)

8. LIST SCHEDULE OF PROPOSED RATE(S) AND CHARGES AND INCLUDE A EXPLANATION OF HOW THE PROPOSED RATE(S) WAS DETERMINED. (MAKE ATTACHMENT 2)

9. Number of Customers Currently Taking Service _____
Number of Prospective Customers _____
TOTAL _____

10. DETAILED DESCRIPTION OF TERRITORY SERVED WITH A MAP. (MAKE ATTACHMENT 3)

11. COMPLETE SET OF ENGINEERING PLANS & SPECIFICATIONS. (MAKE ATTACHMENT 4)

12. COPY OF LA. STATE DEPT. OF HEALTH LETTER APPROVING SANITARY DESIGN. (MAKE ATTACHMENT 5)

13. A COPY OF DEQ WATER DISCHARGE PERMIT. (REQUIRED FOR SEWERAGE COMPANIES) (MAKE ATTACHMENT 6)

14. PROOF OF OWNERSHIP OF COMPANY, BILL OF SALE, ACT OF DONATION, ETC. (MAKE ATTACHMENT 7)

15. A LIST OF SUBDIVISION(S) THAT COMPANY WILL BE PROVIDING SERVICE TO. PLEASE GIVE PARISH, SECTION, TOWNSHIP and RANGE OF EACH SUBDIVISION. (MAKE ATTACHMENT 8)

16. FOR THOSE SYSTEMS CURRENTLY PROVIDING SERVICE: AN INCOME STATEMENT, BALANCE SHEET, TAX RETURN AND/OR OTHER FINANCIAL DOCUMENTATION (i.e., ANNUAL REPORT, INVOICES, RECEIPTS, COPIES OF BILLS, etc.) FOR THE MOST RECENT OPERATING PERIOD OF ONLY THOSE COSTS ALLOCATED TO THE OPERATION OF THE WATER AND/OR SEWERAGE SYSTEM. (MAKE ATTACHMENT 9)

SIGNATURE OF COMPANY OFFICIAL

DATE

ADDRESS (IF DIFFERENT THAN ON FIRST PAGE)

CITY and STATE (IF DIFFERENT THAN ON FIRST PAGE)

PHONE NUMBER (IF DIFFERENT ON FIRST PAGE)

LOUISIANA PUBLIC SERVICE COMMISSION

_____(Company Name)

X. WATER SERVICES

AVAILABILITY

These rates are available under the general terms and conditions of the Company to all consumers of water within the area served by the Company in the Subdivision(s) listed below:

SUBDIVISIONS **PARISH** **SECTION** **TOWNSHIP** **RANGE**

(*List Subdivision(s) and other information.)

You may use separate sheet of paper if necessary.

RATES

\$ _____

(List proposed rates below or on separate sheet of paper.)

CONNECTION FEE

\$ _____

This charge is to cover the administrative cost of re-establishing service and with reading the meter upon a change of customer where service has previously been established.

RE-CONNECTION FEE

\$ _____

This charge is for re-establishing service after disconnection for non-payment, failure to make deposit, fraudulent or seasonal use.

TAP-IN-FEE

\$ _____

This charge will include all labor and materials for the installation of the service line and meter and any other cost associated with the initial installation, plus the difference of any meter larger than the standard 3/4" meter.

NSF CHECK CHARGE

\$20.00

SERVICE CHARGE

\$ _____

This charge shall cover the cost of sending a company repairman sent to a consumer's premises at the customer's request when the trouble is found to be in the consumer's house piping.

DELINQUENT FEE

Maximum of 5% of monthly billing after 20 days from billing date.

DEPOSIT

Maximum charge 2 ½ times monthly bill.

Effective Date:
Authority:

Original Page Number

WATER COMPANY NAME

XI. WATER RULES AND REGULATIONS

The following rules and regulations shall be considered a part of the contract with every person who takes water, and every such person, by taking the water, shall be considered to express an assent to be bound thereby. The Company reserves the right to prescribe, subject to the approval of the Louisiana Public Service Commission, such additional rules or to alter and amend the following rules from time to time as in its discretion it may deem necessary and proper.

APPLICATION FOR SERVICE

1. Applicants for the use of water may be required to make such application in writing at the Company's office on forms supplied by the Company and shall state full and truly the uses to which the water is to be supplied.
2. A new application shall be made and approved by the Company, upon any changes in use or occupancy of property, or in the service as described in the application, and the Company shall be at liberty, upon five day notice, to discontinue water supply until such application has been made and approved.
3. The Company may, at any time, require the customer to make and maintain a cash deposit as security as payment of bills for service. The amount of such deposit shall be determined by the Company, but shall not exceed 2½ times the monthly bill. The amount of the deposit plus accrued simple interest at the rate of 5% per annum, will be refunded to the customer upon a final discontinuance of service and after all indebtedness of the customer to the Company has been paid, or at such time as the company may consider that the customer has established a satisfactory credit rating. (*Commission's General Order dated 4/21/93*)
4. The Company shall not refuse to initiate new service or disconnect existing service due to the refusal of a customer to make payments on a delinquent account that has been closed, with no further services charged or payments made on it, for a period of three years or more unless and except a judgment has been issued by a court of competent jurisdiction on such delinquent account. (*Commission's General Order dated 12/13/93*)

SERVICE CONNECTION

1. A standard service installation will be installed from the main at a point determined by the Company, along with the customer's frontage along a Company main when a proper application is made. The size of the service and meter will be determined by the Company and will be sufficient size to properly serve the customer.
2. The entire cost of any service installation varying from a standard service, including temporary services, fire services, and relocation of a service, will be defrayed by the applicant. Title to such services within the street line or servitude will remain in the Company in consideration of its upkeep and maintenance.

3. Only one premise shall be served through one meter.
4. The Company reserves the right to discontinue serving any customer, or not to commence serving any customer whose plumbing does not conform to all regulations of any proper authority governing same.
5. The Company shall in no event be responsible for maintaining the lines and fixtures on customer's property or for damage done by water escaping there from; customer shall at all times comply with municipal regulations with reference thereto and make change therein on account of changes of grade, relocation of mains, or otherwise.
6. The customer shall not use the service furnished in any manner that interferes with the rendering of proper service to other customers of the Company.
7. The Company will notify customers of any discontinuance of service whenever possible. Customers must provide against damage of any kind to any of their plumbing, equipment, facilities, machinery, boilers, etc., that might arise out of the sudden discontinuance of water service for any reason. The Company will not be liable for damage because of discontinuance or failure to give notice thereof.

METERS

1. The meter box is exclusively the Company's property and trespassers will be dealt with in accordance with the law applicable thereto. No persons or person, except employees of the Company, will be allowed to install, remove, or repair meters.
2. The Company reserves the right to test meters whenever it believes to be necessary, but without charge to the customer.
3. In case of a disputed account involving the accuracy of a meter, such meter shall be tested upon request of the customer in conformity with the provisions of Rule 17.
4. Whenever a meter gets out of order, proper bills for service may be determined by using the correct consumption for the corresponding periods of previous years immediately preceding the date of inaccuracy of such meters or from the best available information. The adjustment shall cover the entire period of inaccurate registration if the length of such period can be determined. If the length of such period cannot be determined, the adjustment shall cover such period as may be mutually agreeable to the customer and to the Company. In no event shall the Company recover adjustments due to inaccurate registration for a period of more than 12 months.
5. The Company shall have access to the customer's premises at all reasonable times and free to all tolls or other charges for the purpose of reading or testing its meters or other facilities and for all other purposes necessary to enable the company to render proper service to the customer and to its other customers. Meter boxes will not be locked and all meters will be available for inspection by both customers and the Company.

6. When the customer requests a meter to be turned on, it will be assumed that the customer knows the condition of his plumbing and the Company shall not be responsible for the injury to the customer or to the customer's employees or to the customer's property, premises, equipment, or facilities caused by water escaping on or in the customer's premises.

DISCONTINUANCE OF SERVICE

Service under any application, including public fire service and any other public or private use, may be discontinued for any of the following reasons:

1. For misrepresentation in application as to property to be served or fixtures to be supplied or the use to be made of the water supply.
2. For the use of water for any other property or purpose than that described in the application.
3. For non-payment of any water bill for more than 20 days after the date of billing. The customer must be given a (5) day written notice prior to disconnection. (*Commission's General Orders dated 9/10/1957, 11/16/1972, 2/20/1973 and 7/12/76.*)
4. In case of vacancy of premises.
5. For violation of any of the rules contained herein.
6. Where service has been discontinued for violation of any rule contained herein, the Company shall not be required to restore service until all unpaid accounts due from the customer to the Company have been paid in full plus a re-connection charge as shown in the Company's current tariffs.
7. When a service is discontinued for any other cause, it will not be restored until the cause of the suspension has been removed or remedied.
8. The company shall not be liable for damage occasioned by suspension of service when such suspension is affected in accordance with these provisions.
9. Refusal to permit inspection of plumbing by representatives of the Company at reasonable hours.
10. For molesting any service pipe, meter, curb stop, corporation stop, seal, or any other appliance of the Company controlling or regulating the water supply.

INTERRUPTION OF SERVICE

1. The Company reserves the right to shut off the water in its mains at any time, without notice, for making repairs, extensions, or alternations but will, so far as possible, notify the customers of the intention to shut off. It is expressly stipulated by the water company that no claims shall be made against it and that no person shall be entitled to any damages nor to have any portion of payment re-funded by reason of such shut off or the breaking of any pipe

or service pipe or by reason of any other interruption of the supply of water caused by the breaking of machinery or for causes beyond its control.

2. The Company shall have the right to reserve a sufficient supply of water at all times in its reservoirs to provide for fires or other emergencies.
3. The Company does not guarantee any specific pressure for its service, the pressure will be that which will naturally result from the pressure maintained at the source of supply, the size of the mains, the customer's piping and the elevation of the customer's property, but in no case will be less than 15 p.s.i. as stated in the Louisiana State Sanitary Code.
4. Water will be temporarily turned off of any premises upon the written order of the customer without any way affecting the existing application.
5. No persons, or person, other than those authorized by the Company, shall turn the water on or off at any corporation stop or curb stop, or move the meter.
6. The Company may disconnect the water for non-payment of a sewer bill if a contract has been made between the water and sewerage company.

BILLINGS AND PAYMENTS

1. Upon the authority of the Louisiana Public Service Commission, the Company shall have the right to read meters and send bills monthly, bi-monthly, or quarterly.
2. If a customer's bill has not been paid after 20 days from the billing date, on the 21st day the Company will send a notice of its intent to disconnect service in 5 days unless payment is received. Water service will then be disconnected on the 26th day. A delinquent penalty may be added to the customer's bill. To restore service a customer may be required to pay a re-connection fee, any amount still owed for a previous billing, and a delinquent penalty. If a customer fails to pay the delinquent penalty assessment, the Company will send a notice that service will be disconnected in 90 days for non-payment. In the case of a sewerage company, if payment is not made, the sewerage may make an agreement with the water company to turn off water service for non-payment of the sewerage bills. If this arrangement is made, all conditions must be on file with the Louisiana Public Service Commission. (*Commission's General Orders dated 9/10/1957, 11/16/1972, 2/20/1973 and 7/12/76.*)

DELINQUENT PENALTY

1. All customer payments received 20 days after the date of billing may be assessed a 5% penalty. The company shall not charge a late payment penalty on any portion of a bill which portion represents a previous late payment penalty; for purposes of this section, a payment received by a utility shall be credited first to the outstanding penalty, if any. (*Commission's General Orders dated 9/10/1957, 11/16/1972, 2/20/1973 and 7/12/76.*)
2. If the last day of any period calculated hereunder is a Saturday, Sunday, or Legal Holiday,

then the period in question shall extend to the next full business day. (*Commission's General Orders dated 9/10/1957, 11/16/1972, 2/20/1973 and 7/12/76.*)

FIRE HYDRANTS

No person shall operate fire hydrants except Company employees, members of the Fire Department and City-Parish employees authorized to flush sewer and storm drains. No person shall take water from any fire hydrant for street sprinkling.

PRIVATE FIRE SERVICE

It shall be expressly understood and agreed by the parties receiving private fire service that the Company does not assume liability as insurers of property or person and that the agreement does not comprehend any particular service, pressure, capacity, or facility other than the usual or that which normal changing conditions may cause to exist from day to day.

LOUISIANA PUBLIC SERVICE COMMISSION

(Company Name)

XII. SEWERAGE SERVICES

AVAILABILITY

This service is available under the general terms and conditions of the Company to all customers of sewerage service within the subdivisions listed below:

| <u>SUBDIVISION</u> | <u>PARISH</u> | <u>SECTION</u> | <u>TOWNSHIP</u> | <u>RANGE</u> |
|---------------------------|----------------------|-----------------------|------------------------|---------------------|
|---------------------------|----------------------|-----------------------|------------------------|---------------------|

(*List subdivisions and other information)

May use separate sheet of paper if necessary.

RATES

\$ _____

(*List proposed rates)

TAP-IN FEE

\$ _____

This charge will include all labor and materials and any other cost associated with initially establishing service.

CONNECTION FEE

\$ _____

This charge is to cover the administration cost of re-establishing service upon a change of customer where service has previously been established.

RE-CONNECTION FEE

\$ _____

This charge is for re-establishing service after disconnection for non-payment, failure to make deposit, fraudulent or seasonal use. (It is suggested by the Louisiana Public Service Commission that the sewerage company make an agreement with the water company to disconnect water service for non-payment of bills.)

SERVICE CHARGE

\$ _____

This charge shall cover the cost of a company repairman sent to a consumer premises at the customer's request when the trouble is found to be in the consumer's house piping.

RETURNED CHECK FEE

\$20.00

DELINQUENT FEE

Maximum of 5% of monthly billing after 20 days from billing date.

DEPOSIT

Maximum charge 2 ½ times monthly bill.

Effective Date:
Authority:

Original Page Number

XIII. SEWERAGE RULES AND REGULATIONS

The following rules and regulations shall be considered a part of the contract with every person who takes sewerage service, and every such person, by taking this service, shall be considered to express an assent to be bound thereby. The Company reserves the right to prescribe, subject to the approval of the Louisiana Public Service Commission, such additional rules or to alter and amend the following rules from time to time as in its discretion it may deem necessary and proper.

APPLICATION FOR SERVICE

1. Applicants for the use of sewerage service may be required to make such application in writing at the Company's office on forms supplied by the Company and shall state full and truly the uses to which the service is to be supplied.
2. A new application shall be made and approved by the Company, upon any changes in use or occupancy of property, or in the service as described in the application, and the Company shall be at liberty, upon five day notice, to discontinue sewerage service until such application has been made and approved.
3. The Company may, at any time, require the customer to make and maintain a cash deposit as security as payment of bills for service. The amount of such deposit shall be determined by the Company, but shall not exceed 2½ times the monthly bill. The amount of the deposit plus accrued simple interest at the rate of 5% per annum, will be refunded to the customer upon a final discontinuance of service and after all indebtedness of the customer to the Company has been paid, or at such time as the company may consider that the customer has established a satisfactory credit rating. (*Commission's General Order dated 4/21/93*)
4. The Company shall not refuse to initiate new service or disconnect existing service due to the refusal of a customer to make payments on a delinquent account that has been closed, with no further services charged or payments made on it, for a period of three years or more unless and except a judgment has been issued by a court of competent jurisdiction on such delinquent account. (*Commission's General Order dated 12/13/93*)

SERVICE CONNECTION

1. The Company will furnish a connection at the property line of the customer for connection into its sewerage system and to provide for disposal of the customer's sewage.
2. Only one premise shall be served through each connection.
3. The Company reserves the right to discontinue serving any customer, or not to commence serving any customer whose plumbing does not conform to all regulations of any proper authority governing same.
4. The Company shall in no event be responsible for maintaining the lines and fixtures on customer's property or for damage done by sewage escaping there from; customer shall at all times comply with municipal regulations with reference thereto and make change therein on account of changes of grade, relocation of mains, or otherwise.

5. The customer shall not use the service furnished in any manner that interferes with the rendering of proper service to other customers of the Company.
6. The Company will notify customers of any discontinuance of service whenever possible. Customers must provide against damage of any kind to any of their plumbing, facilities, etc., that might arise out of the sudden discontinuance of sewerage service for any reason. The Company will not be liable for damage because of discontinuance or failure to give notice thereof.

DISCONTINUANCE OF SERVICE

Service under any application may be discontinued for any of the following reasons:

1. For misrepresentation in application as to property to be served or fixtures to be supplied or the use to be made of the sewerage service.
2. For non-payment of any water bill for more than 26 days after the date of billing. The customer must be given a (5) day written notice prior to disconnection. (*Commission's General Orders dated 9/10/1957, 11/16/1972, 2/20/1973 and 7/12/76.*)
3. In case of vacancy of premises.
4. For violation of any of the rules contained herein.
5. Where service has been discontinued for violation of any rule contained herein, the Company shall not be required to restore service until all unpaid accounts due from the customer to the Company have been paid in full plus a re-connection charge as shown in the Company's current tariffs.
6. When a service is discontinued for any other cause, it will not be restored until the cause of the suspension has been removed or remedied.
7. The company shall not be liable for damage occasioned by suspension of service when such suspension is affected in accordance with these provisions.
8. Refusal to permit inspection of plumbing by representatives of the Company at reasonable hours.
9. For molesting any service pipe, curb stop, corporation stop, seal, or any other appliance of the Company controlling or regulating the sewerage service.

BILLINGS AND PAYMENTS

1. Upon the authority of the Louisiana Public Service Commission, the Company shall have the right to send bills monthly, bi-weekly or quarterly, unless authorized otherwise by the LPSC.
2. If a customer's bill has not been paid after 20 days from the billing date, on the 21st day the

Company will send a notice of its intent to disconnect service in 5 days unless payment is received. Sewerage service will then be disconnected on the 26th day. A delinquent penalty of 5% may be added to the customer's bill. To restore service a customer may be required to pay a re-connection fee, any amount still owed for a previous billing, and a delinquent penalty. If a customer fails to pay the delinquent penalty assessment, the Company will send a notice that service will be disconnected in 90 days for non-payment. In the case of a sewerage company, if payment is not made, the sewerage may make an agreement with the water company to turn off water service for non-payment of the sewerage bills. If this arrangement is made, all conditions must be on file with the Louisiana Public Service Commission. (*Commission's General Orders dated 9/10/1957, 11/16/1972, 2/20/1973 and 7/12/76.*)

DELINQUENT PENALTY

1. All customer payments received 20 days after the date of billing may be assessed a 5% penalty. The company shall not charge a late payment penalty on any portion of a bill which portion represents a previous late payment penalty; for purposes of this section, a payment received by a utility shall be credited first to the outstanding penalty, if any. (*Commission's General Orders dated 9/10/1957, 11/16/1972, 2/20/1973 and 7/12/76.*)
2. If the last day of any period calculated hereunder is a Saturday, Sunday, or Legal Holiday, then the period in question shall extend to the next full business day. (*Commission's General Orders dated 9/10/1957, 11/16/1972, 2/20/1973 and 7/12/76.*)